

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.2779 of 2016

Paulchinadurai .. Petitioner
Vs.

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Chennai.
- 2.The Inspector of Police, (Crime),
V5 Thirumangalam Police Station,
Thirumangalam,
Anna Nagar West,
Chennai 40. .. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the second respondent to register a case against the named person on the petitioner's complaint dated 15.10.2015.

For Petitioner :Mr.V.Illanchezian

For Respondents :Mr.C.Emalias
Addl. Public Prosecutor

O R D E R

The petitioner has come forward with this petition seeking for a direction to the second respondent to register a case against the named person on the petitioner's complaint dated 15.10.2015.

2.Learned counsel for the petitioner submits that the petitioner is the owner of the property and he leased out the same in favour of one Madhankumar, Son of Venkatesan, who in turn sold the same to one Maheswari. Hence, the petitioner has given a complaint to the second respondent on 02.03.2015 against the said Maheswari and Madhankumar. But the respondents have not shown any interest to enquire the matter and register the case. Hence, the present criminal original petition is filed for the above stated relief.

3.Learned Additional Public Prosecutor would submit that in the month of March 2015, C.S.R.No.226 of 2015 has been assigned, after due enquiry, the same has been closed. But the matter was adjourned for getting instruction. According to

him, the second respondent has not received any complaint from the petitioner.

4. Considering the submissions made on both sides and on perusing the typed set of papers, the complaint has been sent by the petitioner vide registered post and postal receipt has also been filed to that effect. However, the petitioner is directed to give a fresh complaint to the second respondent and on receipt of the same, the second respondent is directed to enquire the matter as expeditiously as possible and follow the dictum laid down in Lalitha Kumari vs. Govt. of U.P & others [2013 (4) Crimes 243 (SC) and register a case, if any cognizable offence is made out.

5. The Criminal Original Petition is disposed of with the above direction.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

cla

To

1. The Commissioner of Police,
Office of the Commissioner of Police,
Chennai.

2. The Inspector of Police, (Crime),
V5 Thirumangalam Police Station,
Thirumangalam,
Anna Nagar West,
Chennai 40.

3. The Public Prosecutor
High Court, Chennai.

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BVR(CO)
Eu 14.03.16